Previous references.

1913.14

(C5)

Prosecution

File No. 55-13

Serial Nos. 1-6

27/5/24

Later references.

cls 236-15 ~~(1604) (C5)~~
(1607)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-6

Part B. for Nov. 13.

SUBJECT.

Sanction prosecute M. Krishnadeva Naik for unauthorizedly keeping a lottery Office.

1. From The Dt Magte, Bangalore Dt S 1160 of 4/8/13
Forwards copies of certain ref. relating to the unauthorized opening of a lottery-house, Basavangudi by M. Krishnadeva Naik & requests sanction may be accorded for prosecuting him

(a) To The D.C. Bangalore S 558 of 13/8/13
Calls for the entire records of the case.

(b) From The Sales Officer No. 202 of 25/26-8-13.
Submits the available records of the case.

(2) To The Dn. Bangalore Dt 868 of 10/9/13.
G. R. S. 58 Accord sanction to the prosecution of M. Krishnadeva Naik.

P.T.O.

Mulchouse
~~27.9.13~~ 16.10.14

3. From The Dm. Bangalore Dt.
No. S. 367 of 2/10/13.
Reports sanction of Govt to the prosecution of Mr Krishnadeva Naik.

4. To The F.A. Resdt 335 of 3/11/13.
Enquires whether the British Govt will waive their right to demand the surrender of M. K. Naik.

5 From The Same Officer 7032 of 11/11/13
States that there is no objection to the trial of M. K. Naik.

6. To The Dt Magte Bangalore Dt
J. 1524 of 22/11/13.
Sanctions the prosecution.

G.R.S. 11] 1913-14

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 53

FILE HEADING.

Sanction to prosecute M. Krishnadeva Naik for unauthorizedly keeping a Lottery-office

From

The District Magistrate, Bangalore Dist.

No. S116 Dated 4.8.13 Received 5-8-13

Diary No.	Enclos.	Spare Copies.	Serial No.
J480	17.		1

BRIEF ABSTRACT OF LETTER.

Forwards copies of certain reports relating to the unauthorized opening of a Lottery-house in Basavanpur Extension under the bogus name of "National United Club" by M. Krishnadeva Naik and requests that, under Sec 196 Cr. Pro. code, Sanction may be accorded for prosecuting him for an offence under Sec "294 A, IPC.

NOTES AND ORDERS.

Subd forwards with a draft sanctg

Rly.-129
7.8.13

2 There seems to be a prima
7/8/13 facie case for granting Sanction. The
advertisement clearly shows that Rs 10000 with

NOTES—First Sheet.

GPB—30,000—12-8-11

Serial No.

be distributed as prizes by means of a lottery and the concern seems to come under Sec. 294 A I.P.C. Even if it be assumed that each member will get, as stated in the advt. a box of scented dentifrice worth 12 as in return for his payment of 12 as, the distribution of prizes by means of chance makes it a lottery. For a similar case, please see Hagne's I.P.C. (Taylor vs Smetton). Under Sec 196 of the Cr. P. Code, sanction of Govt or of an officer authorised by Govt is necessary for a prosn under Sec. 294 A I.P.C

3 Draft of an order is submitted for approval or other orders

(Dr Lentl)

4 A great deal depends upon the precise terms of the sanction given by Mr Sparkes. Should not a copy of this order and of the application of Mr Naick be obtained beforehand for a satisfactory disposal of the question?

5 After Mr Sparkes or any other officer authorised, by a Spl or general order, to grant sanction under Sec. 196 Cr.P.C.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

General and Revenue Secretariat. | Cs File No. 53 of 1913-14

Serial No.

6 Subd. Power to grant sanction under Sec 196 Cr. Pro. Code does not seem to have been conferred on Mr Sparkes or any other officer in this State. (The Collection of Rules & Orders under the Cr. Pro. code & the Power Register have been consulted). A copy of Mr Sparkes' order may perhaps give this information as well. & Kg.-129 may be sent for.
11.8.13 VLL

7 A copy of the applⁿ & of Mr Sparkes' order may be sent for; but, so long as Mr Sparkes was not invested with the power to grant sanction under Sec. 294A Ind. Cr. P. Code, any sanction granted by him (assuming he did grant) is clearly invalid & does not affect the question

294A Ipc SPR 25/8

Dy Secy) SPR 4/8

8 Please send for the papers referred to or call for the records thereafter.

Secy 12/8

9 Draft

SPR 12/8

10 Draft calling for the entire records & Subd.
Kg.-129
12/8/13 VLL
13

11 Issue SPR 13/8

Secy 12/8

NOTE.—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

cf File No. 55 of 1913-14

Serial No.	
1 (a)	To the District Magistrate, Bangalore No J/558 dt 13.8.13 Calls for the entire records of the case including the application said to have been presented to Mr Sparkes with his orders thereon.
2	From the same officer No 202 dt 25/26.8.13 States that the original order of Mr Sparkes is not forthcoming submits the available records of the case.
12)	Although the original order of Mr Sparkes is not forthcoming, a certified copy of the order and a copy of the application are available amongst the papers now received.
13)	Draft sanctg the prosecution is also in the file. Subd marked. Hg.-129 28/8/13 (58) 28/8/13
	Dy Secy) SDA 28/8
14)	I would like to have a personal discussion of this case with the Mysore or to have a fuller Note on the question. Dmw 29/8
15)	Discussed the matter with the Dy Secy SDA 28/8.
16)	The question is whether Sanction

NOTE.—Contn. sheet.

G I P—65,000—17-6-12.

should be given to prosecute the man for an offence under Sec. 294 A. I.P.C. The gist of the offence under that Section is (1) Keeping any place for the purpose of drawing any lottery (2) not authorised by Govt. Whether the transaction of M.K. Nair was a lottery now or not is a question of fact. Considering the circumstances reported in the Chief Inspector's report, I think it is a lottery. I have already referred in my previous note to a similar case quoted by Mayne. The second question is whether the lottery was sanctioned by Govt. & There is no such authority from Govt. Even if Mr Spakes' order covered the opening of this lottery, it is not sufficient legally, as Sec. 294 A requires the authority of Govt. only. Moreover, ~~as a~~ Mr Spakes' order can in no way be held to have authorised the opening of a lottery. It is clear that the features of the business were not fully placed before him.

(7) It may be urged that-

GPB—65,000—17-6-22

that M. K. Naik might have, in good faith, persuaded himself that he had sufficient authority to open the lottery in view of the wording of Mr Spakes' order. The answer to this contention is that the offence under Sec. 294 A IPC is not one into which intention or good faith enters. The law requires a particular act to be done only after sanction from a specified authority; and if any person fails to secure that sanction, he cannot plead that he believed that the sanctions of a lower authority would do for the purpose.

18) For these reasons, I adhere to my ~~opinion~~ view already expressed that there is a prima facie case for granting sanction to the prosecution

Dr Lall)

19) The draft order may be approved.

1st Consultation)

28/5

Draft ordered 29/5

This is a very interesting case. I presume that this man is a native of Bangar-

GIPE—65,000—17-C-12.

lore. He has shown considerable ingenuity, and ~~it~~ seems almost to prove that he need not despair of the commercial future of Mysore as a modern ~~State~~ up to date line.

2 There can be no question of any good faith in this person as to the meaning of Mr. Sparkes's orders. Mr. Sparkes may have deceived himself but he could not have deceived as the scope of the ~~the~~ applicant ~~for~~ her mission.

2 The prosecution may be sanctioned. The man should also be put up for cheating if he has not already been prosecuted under that head.

3/9/13

Draw C/9

R. S. 12]

General and Revenue Secretariat.

C5 File No. 55 of 1913-14

Serial No.	
	Draft order sanctg the prosecution of Kistnan is in the file. Para 2 of the draft has now been inserted as per 1st cl's orders in para 22 of the note.
	Mg.-129 8/9/13
	Dy Secy 8/9
	Dy 8/9
	Issue 8/9
2	To The Dist. Magistrate, Bangalore dist No J868 Dy 10.9.13
	Accords sanction to the prosecution of M. Krishnadeva Naik for an offence under Sec 294 A I.P.C. as a state that the man should be prosecuted for absconding also.
3	From the Dist. Magistrate Bangalore Dist. No. S. 367 Dy 2nd Oct 1913.
	Requests sanction of Govt. to the prosecution of M. Krishnadeva Naik on two counts as the sanction first accorded related to only one count
	(1) The District Magistrate Bang. Dist: observes that M. Krishnadeva Naik has to be prosecuted on two distinct;

NOTE—Contn. sheet.

R. S. 12]

General and Revenue Secretariat.

File No. 55 of 1913-14

Serial No.

Specific grounds, namely
(a) "Unauthorizedly keeping a lottery house in Basawanagudi in the years 1907, 1909, 1911, 1912 and 1913",
(b) "Publishing proposals relating to these five lotteries outside Mysore".

The sanction formerly accorded in G.O.No. 868/Crls 55-13-2 dy 10th Sep 1913 was only for prosecuting the man on the first count. The District-magistrate now wants a modification of that order and in its place a specific sanction for M.K. Naik's prosecution on both the counts.

Draft order sanctioning the prosecution of the man is put up for approval or other orders.

Mde
4-10-13.

(Dr Lee)
(1st Comptroller)

SP 4/10
Drummond Lee 4/10

Have we not to get the assent of the Residency for

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

C/S File No. 55 of 1913

Serial No.

trying the man here under Cl. 2 of S. 188. of Cr. P. Code, write to Residency (urgently) & get a waiver.

5/10/13

Draft (urgent)
SOL
7/10

Draft to the Y. A. Resident & Subd. Mg. — 116
29/10/13

1st Cr.) SOL 29/10

Draft approved by 1st Councillor.
MKR
31.10.13

4 To The Y. A. Resident

No 335 dt 3. 11. 13

Enquires whether the British Govt will waive their right to demand the surrender of M. K. Naik for trial in Br: India for the above mentioned offence.

R.T.O.

NOTE Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

File No. 55 of 1913-14

Serial No.	
5	From Mr. J.A. Resident No 7032 dy 11.11.13 States that there is no objection to the trial of M.K. Naik in the Mysore State for an offence under Sec" 294-A. I.P.C. My Subs will refer to para 29. draft already put up saying the prosecution of the man on the two counts is remitted for orders. KG.-116 12/11/13 (48) 13/11/13 (My Secy) 1st Counsellor) 13/11 14/11 Draft appd: by 1st Counsellor 16-11-13. 21/11 36 /5840 1082 21/11

NOTE.—Contn. sheet.

III

1913-14

From The District Magistrate Bangalore

To The Secretary to the Government of Mysore Bangalore

Dated

Despatched 4th August 1913.

Received

General No.

No.

Enclosure No.

Requesting sanction for the prosecution of one M.K. Naik under Sec. 294A. I.P.C.

Office of the District Magistrate

Bangalore District.

Dated Bangalore, 4th August 1913.

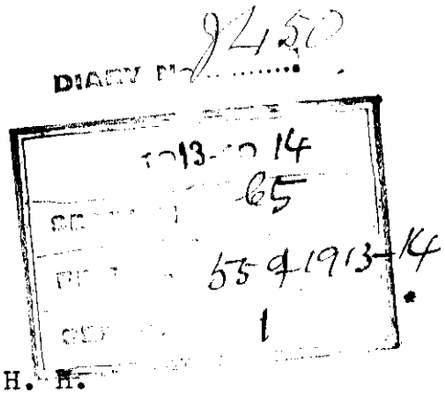
No.-------

From

K.Chandy Esq., B.A.,

District Magistrate,

Bangalore District.



To

K.R.Sreenivasa Iyengar Esq.,M.A.,

Secretary to the Government of H. H.

the Maharaja of Mysore, Genl.and Rev.Deptts.

Sir,

In forwarding herewith the marginally noted copies of references relating to the unauthorized opening of a lottery house in Basavangudi extension under the bogus name of "National United Club" by M. -- Krishnadeva Naik, I have the honor to state that in 1907 the said M.Krishnadeva Naik --

(1) Prospectus issued by the National United Club,Basavangudi.

(2) Report No.25 dated 17th July 1913, from the Chief Inspector of Police, Bangalore City.

(3) -do- No.26 dated 12th July 1913.

(4) Letter No.8-9/S.B.dated 17th July 1913, from the Superintendent of Police, Bangalore District.

(5) Report No.45/2 dated 25th July 1913, from the Chief Inspector of Police, Bangalore City.

(6) Letter No.19/S.dated 28th July 1913 from the Superintendent29of Police, Bangalore District.

applied to Mr.H.H.Sparkes, the then District Magistrate for permission to carry on business in the sale of sweet scented dentifrice among other medicines by the sale of 4400 tickets. Mr.H.H.Sparkes passed an order on his petition to the effect that the business would not fall under the gambling Act and that there was no objection to issue tickets.On the strength of this order Krishnadeva Naik, advertised in many of the news papers in Northern and Southern India that he has opened a lottery -- under the designation of "National United Club" in Basavangudi extension, Bangalore City and invited many agents for distribution and sale of tickets. He has carefully avoided the local papers for his advertisement. Consequent on the advertisements

3

advertisements the said Naik is said to have received several money orders. It even stated that he has drawn lotteries on five occasions during 1907 but distributed no prizes. Mr.H.H.Sparke's order never lent any support to the opening of a lottery and the act of M.Krishnadeva Naik evidently falls under section 294 A of the Indian Penal Code. I therefore request that you may obtain under section 196 C.P.C.the sanction of Government, for prosecuting M.Krishnadeva Naik under Section 294 A of the Indi Penal Code.

I have the honor to be

Sir,

Your most obedient servant.

K Meanday

District Magistrate,
Bangalore District.

L.S.R.
1.

4

Encl 1 to
No. 53-13-1

Please Circulate this among your Friends.

The National United Club

BASAVANGUDI, BANGALORE CITY.

GRAND DISTRIBUTION

APPROVED BY

The Deputy Commissioner and District Magistrate of Bangalore,

MYSORE STATE

To be held in the Month of June 1913.

MEMBERS 40,000 Only

Each Member shall pay As. 12

ENORMOUS CHANCES. "Fate's dark recesses we can never find,
But fortune at some hours to all is kind." **UNIQUE ADVANTAGES.**

Rs. 10,000 (RUPEES TEN THOUSAND) Rs. 10,000

To be given away in 2,500 Prizes.

Detail of Prizes.

Prize No.	1.	Two Thousand Rupees		RS. 2,000
,, ,,	2.	One Thousand Rupees		RS. 1,000
,, ,,	3.	Five Hundred Rupees		RS. 500
,, ,,	4.	Three Hundred Rupees		RS. 300
,, ,,	5.	Two Hundred Rupees		RS. 200
,, ,,	6.	One Hundred Rupees		RS. 100
,, ,,	7.	Fifty Rupees		RS. 50
,, ,,	8.	Thirty Rupees		RS. 30
,, ,,	9 to 20	each Prize Rupees Ten		RS. 120
,, ,,	21 to 100	each Prize Rupees Five		RS. 400
,, ,,	101 to 2,492	each Prize Rupees Two...		RS. 4,784

8 Grand Special Prizes.

1.	Special Prize	10 Sovereigns.	5. Special Prize .... 3 Sovereigns.
2.	,, ,, ...	8 ,,	6. ,, ,, ... 2 ,,
3.	,, ,, ...	5 ,,	7. ,, ,, ... 24 Rupees.
4.	,, ,, ...	4 ,,	8. ,, ,, ... 12 ,,

THUMBY & CO., BANGALORE.

40,000 Boxes of Sweet Scented Dentifrice.

An invaluable preparation for preserving and whitening the Teeth, purifying and perfuming the breath. The Microbes being destroyed, the cause of the decay is removed. The gums becoming healthy, the teeth get firm in their sockets and continue to do their functions till a very old age. **Price per Box As. 12.**

There are no Blanks.—Every member will receive a Box of "Sweet Scented Dentifrice." **Price As. 12.**

The above Scheme is in every way advantageous with **No loss of any kind.**

NOTE:—(1) A Household article for the value paid.

(2) A Decent Money Prize in addition.

A Fitting opportunity for Gentlemen and Merchants.

N.B.—The Demand for this scheme being very great, please send your order by an early mail to prevent disappointment.

Wanted Immediately

Active Agents at all places in India, Burma and Ceylon.

Persons intending to take up an Agency should make a written Application to The Honorary Secretary, The National United Club, Basavangudi, Bangalore City.

On receipt of the same, the prospectus with all the necessary things enabling him to proceed with the business will be forwarded to the Applicant.

Terms of Business.

1. The Agent is entitled to one-half of the amount won by a Member in the above Special Prizes.

2. The number and value of the prizes will depend on the amount realised.

3. The counterfoils with cash should be forwarded before the **20th June 1913.**

4. The Agents who realise Rs. 75 will be entitled to a commission of Rs. 10 and 10 Boxes of "Sweet Scented Dentifrice." But the Agents who realise Rs. 7—8—0 will be entitled to a commission of Re. 1 and a Box of the same.

5. The Agents when remitting, will please note to deduct their own commission and postage.

6. As soon as the Money is received by the Honorary Secretary, an Acknowledgment will be posted to the Remitter.

7. It is requested that all communications with the office be made in English.

8. The Results will be published on 30th June 1913.

9. A copy of the Results will be posted to the Agents.

10. All communications should be addressed to, and remittances by Cheques, Postage stamps and Postal Money Orders be made payable to

THE HONORARY SECRETARY,
THE NATIONAL UNITED CLUB,
Basavangudi, Bangalore City.

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Enc 2 to
1555-13-1

No. 25

R E P O R T.

The National United Club. 1907 - 1913.

One M. Krishna Deva Naik a resident of Basavapur, Bangalore City, started a lottery house in the year 1907 about January under the nomenclature " The National United Club." He advertised in many of the newspapers in Northern and Southern India but carefully avoiding publication in the Local papers. Subsequently, he applied to the District Magistrate of Bangalore for sanction to carry on business in the sale of sweet scented dentifrice among other medicines by the sale of 44000 tickets at 12 annas a ticket. He also stated in his application "that each ticket holder will be given a tin of sweet scented dentifrice priced at 12 annas without any blank and some of them will also be declared to be entitled to a distribution of profits in the shape of prices the number and value of which will depend on the number of tickets sold." On this application

of 30-3-1907 the then District Magistrate Mr. H. H. Sparks passed the following order: " As this does not fall under the Gambling Act there is no objection to issue these tickets."

This petition was given in the name of M. K. Murty Hon. Secretary National United Club, Basavapur, Bangalore City. The statement of the man M. K. Naik shows that it was he who made the above application. The order of the District Magistrate does not sanction the opening of a lottery house even if it did, it has no legal effect as the sanction contemplated by section 294(a) is the sanction of the Local Government and not that of the District Magistrate. I am doubtful if the District Magistrate would have ever passed the order as he did if only a copy of the Prospectus had been enclosed to the application.

The ticket No. 1044 found among the records gives the date of drawing as 1st June 1907. Nothing seems to have been done until he was threatened by some of his agents with prosecution when in February 1908 he sent some tooth powder tins and some money prices of Re 1/- each. Mr. Chanda Kutty of Kranhipalam one of the agents of the Club says he was sent only Rs.6/ towards prices whereas he collected Rs. 54/- and odd and sent the amount to the Secretary M.K.Naik.

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The ticket as well as the printed copy of the result of the drawing for the year 1907 dated 1-10-07 clearly indicate that the lottery house wasekept in Basavapur, Bangalore, though the publication was done out side the Mysore State.

In the year 1908 there is evidence to show that he published his lottery in the Mysore State as well. The Manager of Sivji Kalyanji & Co., Grain Merchants of City Tharagpet saw the advertisement and applied for copies of tickets, Prospectus etc. On 22nd October 1908. There is besides a note in the printed list of results of the drawing for 1907 that the next drawing would be held on 1st June 1908 and this appears under the signature of M. K. Murthy who is no other than M.K.Naik.

In the year 1909 he came out before the public that his lottery is opened by the permission of the Government of H. H. The Maharaja of Mysore whereas no such permission was ever obtained by him. Only the order of the District Magistrate referred to is extended and the public are duped to believe that the Government has given its sanction for this swindling concern.

M. K. Naik printed his prospectus, tickets, rules etc., for this year in Young & Co., Printers, C & M Station,

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and their Register shows the signature of M.K.Naik for the receipt of the same on 12-1-09 and 16-8-09. This year's drawing was held in Basavapur. He mentions in his notice that about Rs. 8320/- would be given away as prices and about 35 soverigns as special prices. He then goes on to say in Rule 2 that the number and value of the prices will depend on the numb -er of tickets. His house has been searched several times and no sort of documents are available to show what amount he collected and what amount he distributed in the form of prices. Any how he published the results of the Grand distribution held on 20th December 1909. This gives a long list of prices supposs to have been awarded amounting in all to nearly Rs.951/8/- whereas the only Register he maintains shows he gave away only Rs. 15/- as prices. The money Order receipts also show that only Rs. 15/- were sent out as prices. With respect to this publication there has been a a specific complaint from one Mr. Rajarathna Modliar, Mylapur, Madras. He says he was induced to purchase two tickets through one of Naik's Agents and that he got nothing in return. The [illegible] Secretary? National United.Club gives his address this time as 36, Cavalry Road, C & M Station, Bangalore.

The man must have collected a pretty large sum and made a sham of a distribution and published a grand list of

10

prizes to dupe the credulous public with a view to induce them to subscribe for the next lottery which was noted to come off in June 1910.

In the year 1910 there seems to have been 2 publications and 2 drawings in June and December. In June the Prospectus declared that the drawing was "By permission of the Government of H. H. The Maharaja of Mysore" while the advertisement of December 1910 declared he was acting under the permission of the District Magistrate, Bangalore. This year he got his advertisement etc., printed at the National Press, Bangalore as well as Thumby & Co., C. & M. Station.

For the year 1911 there have been 3 publications 2 in the name of National United Club (i) June (ii) December and the third in the name of the Mysore Exchange Hall in Basavapur.

The June drawing in Basavapur is advertised to be by permission of the Deputy Commissioner and the District Magistrate of Bangalore and purporting to distribute nearly Rs. 8000/- and no blanks. In the rules a clause is also inserted that the number and value of the prizes will depend on the number of tickets disposed of. This is in small types. Whereas no blanks. Enormous prizes etc., is in very bold [illegible] characters A careful perusal of one of these notices printed by ---------

Thumby & Co.,

Thumby & Co., will convince that the whole affair is a big cheating organization. But the glowing advertisement is sure to deceive the public.

One Thatha Char of Pudukota was one of his Agents and he says he sold 137 tickets whereas the ~~the~~ card that was written to him by the Secretary of the Club publishing the results of the drawing states only 15 prize numbers amounting to Rs. 130/- only. Even this statement has to be taken at a discount.

The December drawing is also said to be by permission of the Deputy Commissioner and District Magistrate of Bangalore The notices, tickets etc., are got printed at Thumby & Co., C & M Station and they have documentary evidence to show that M. K. Naik got them printed for circulation.

The March drawing appears under the new garb of the Mysore Exchange Hall, Basavangudi, Bangalore City. This is done under no permission.

The Manager M. K. Naik promises to give away Rs.15000 in 4000 prizes. He also promises to distribute 80,000 copies of "Physician" among 80,000 numbers and no disappointment. The original manuscript with a direction proof to M.K.Naik 25, Fort

12

Fort Road, City, Basavangudi, Bangalore has been seized. M.K. Naik's letter to Thumby & Co., correcting the mistakes in the proof is under his own signatures.

When he was called on to explain his trade his statement that he got them printed but never circulated does not deserve any credence. It seems likely that the lottery under the name " Exchange Hall" was drawn in 1912 and not in March 1911 as advertised. Some tickets were got printed by Naik in Thumby & Co., in ~~@@~~ September 1912 under the name Exchange Hall and it is therefore evident that the drawing was some time immediately before or after this date. Besides this there is admittedly another drawing in December 1912 in the name of the National United Club and M. K. Naik has produced the Money Order acknowledgement coupons received from the prize winners. The Exchange Hall gives room to the National United Club again for the year 1913 which is said to be approved by the Deputy Commissioner and District Magistrate of Bangalore. Subscriptions have begun to pour in from purchasers of tickets from January 1913 and Money Order Coupons have been produced by M.K.Naik. Meanwhile he got information that the Police were on the truck and he seems to have fabricated a document and get it registered in the Bangalore Sub Registrar's office to show that he sold the good will of the National United Club to the Free Medical

Council, Shoolay, Madras on 5/13. The notices, ticket books etc., have been printed in Thumby & Co., Printers, Bangalore. Some proof copies and the order book containing the signature of M. K. Naik have been seized. The Free Medical Council referred to is no other than his own brother M. Vasudeva Naik who is keeping a Medical Shop in Madras. This individual has been examined and he states that M.K.Naik is his utrine brother and he sent him some 6o prospectus and 60 ticket books of the National United Club for the year 1913 on 23 May 1913 inspite of his protest. He is said to have also forwarded a registered bond telling him that the business was transferred to the Free Medical Council. Shoolay, Madras on 14th June 1913 and asking him to take up the business He took some time to consider and on 23rd June he is said to have refused to do so.

On 24th June M.K.Naik sent a telegram asking M.V.Naik to send him back all the correspondence and they have all been sent back to M.K.Naik. M.V.Naik has taken delivery of 7 money orders to the value of Rs. 65/9 on behalf of the Club. The amount was offered to M.K.Naik who asked him to keep the amount with him until he wrote to him. This amount has been seized. Some more money orders amounting to several hundreds have also come and the Postal authorities have been addressed to detain the same and forward them to this Office for further action.

14

History

This is ad far the M.K.Naik's doings as Secretary of the National United Club and Manager Exchange Hall during the years 1907 to 1913. It is clear from the above that M.K.Naik opened or kept an Office or place in Basavapur during all these years for the purpose of drawing a lottery and has thus rendered himself liable to be prosecuted under section 294 (a) I.P.C. I therefore beg that the District Magistrate may be kindly requested to move Government to accord sanction under section 196 C.P.C. for the prosecution of the said M.K.Naik under the above section

It may not be practicable to launch prosecutions with respect to each of the successive drawings, but, it is proposed to lodge complaints only with respect to the drawings of June 1907, December 1909, June 1911, December 1912 and June 1913 where sufficient evidence is forthcoming.

Sd/ N. Krishna Rao.

Chief Inspector of Police,
Bangalore City.

Bangalore,
12 July 1913.

Copy
N' [illegible]
Superintendent of Police.

Enc 3 to 85-55-13-1

15

No. 26

R E P O R T.

In connection with the series of complaints against K. Krishna Dowa Naik in his various capacities as

1. Proprietor of the Aurvedic Medical Hall
2. ---Do--- Chamber of Commerce
3. Manager of the National Therapeutical Corporation.
4. Comptroller of the Universal Provident Alliance
5. Manager of King & Co.,
6. Secretary National United Club
7. Manager Mysore Exchange Hall &c.,

I beg to report that the several complaints have been investigated by me as ordered and three charge-sheets submitted to the City Magistrate's Court in cases where evidence was complete. The cases dealt with are as follows:-

King & Co., - 1905.

One Jetabhai Vaghjibhai of Vaso, Baroda State complained that K. K. Naik who styled himself as the Manager of a bogus Company called King & Co., cheated and induced him to part with Rs. 80/- in two instalments of 40/- in different dates as a

security for holding two Agencies of the said Company, while, on receipt of the amount, he neither sent him the order of appointment of Agencies nor the required goods up to the value of Rs, 100/- as advertised in the Prospectus.

M. K. Naik after he was very much pressed by the said Jetha Bhai, sent him a box of worthless madicines with a letter that the orders of appointment were also enclosed in the Parcel. Jetha Bhai did not indent for madicines but had asked for Kerosine oil tins, sugar, match boxes etc., As per advertisement ~~sheets~~ Sent, the Manager was bound to send the Agents whatever they demanded out of the list supplied to them. The parcel was however taken delivery of by the complainant and it was found to contain no appointment order.

Madicine was not wanted by Jethabhai, so he wrote back to M. K. Naik and there was no reply. Thereupon he sent back the madicines and asked the said Manager to return Rs. 80/- the deposit amount. Even then there was no reply when he complained to the authorities.

One other complaint similar to the above from one Govinda Kesava Dharma of Depalpur, Indore State has also been proved. A charge-sheet has therefore been placed on the three counts referred to to the Court of the City Magistrate.with a

17

request that they may be enquired into at the same trial under the provisions of section 234 C.P.C. as they all occur within the space of 12 months.

2. The National Therapeutical Corporation 1903-06.

The accused started the above Corporation styling himself Ex-officio Director and Manager of the Association. He sent in advertisements to the Newspapers in Northern India calling for Agents on a monthly salary of Rs. 25/-, Rs. 15/- or Rs. 10/- according to the Agents deposits of Rs. 100/-, Rs.50/- or Rs. 25/- respectively in the said Company.

One Gopal Lakshman Padhey of Nagapur was attracted by an advertisement in 'Kala' a vernacular paper of Poona and he as a shrewed man, asked M. K. Naik if the Company was a registered one. In reply Naik wrote that it was registered. Padhey then remitted Rs. 25/- on 16-10-06 and applied for an Agency. The remitt was taken delivery of by M. K. Naik but he never sent him the appointment order of Agency. Naik put off sending the goods for nearly 3 months and then sent him six articles without a price list and without the promised order. Padhey finding the goods thoroughly useless wrote back refusing the Agency and requesting return of the deposit amount. There was no reply. Padhey began to suspect the bona-fides of the Coy., and complained to the authorities.

18

This forms the subject matter of ~~the~~ a second charge-sheet.

3. The Universal Provident Alliance. 1904 - 1908.

This is by far the most extensive both in point of duration and in point of having attracted in a number of people under its swindling sway. It sprung into existence in the year 1904 and passed into oblivion in the year 1908. The Prospectus which was printed in the Star of India Press, Mint Street Madras set forth the names of M. V. Khan (Madras) and I. S, Dogal Pedi (Ceylon) as Directors.

Dr. G. B. R. Naylor as Medical Adviser

Will. Hayes, Bar-at-Law as Legal Adviser

J.R.R. Khan, Auditor and

M. K. Naik as Ex-officio Director & Comptroller of the Alliance.

It also said that The Bank of Madras and the Mysore Government Savings Bank did the banking business for the Company.

It is now ascertained that the Directors are fictitious personages and the Medical and Legal Advisers had nothing to do with the Alliance and the Banks said above never had any accounts of the Company.

19

M. K. Naik was the only person that did all the swindling. He enlisted 3 Agents ~~XXX~~ 2 in Mysore Territory and 1 in Malabar by name Chanda Kutty. These secured for him a number of proposers who paid up the premia till 1908 when they suspected the genuineness of the Alliance and dropped off. The rough calculation of premia from the irregular accounts maintained by M. K. Naik comessup to ~~XX~~ nearly Rs. 4000/-.

Policies are issued to the members with the signatures of the Directors I. S. Dagul Raja and S. V. Kian forged by the accused. The only register that has been seized by the Police begins with the first Policy No. 103 and ends with 280 with some blanks.

M. K. Naik the accused has published three annual reports for the years 1905, 1906 and 1907 as if issued by ~~the~~ order of the Directors, giving the details as regards the working of the Alliance and the number of Policy holders benefitted thereunder. Under the latter head some ~~numbers are~~ numbers are given below 103, as having been benefitted to a very large extent, whereas a few others who have been really paid have been allotted very small sums, and the payment was not ~~made~~ made by the Comptroller but directly by the Agent out of the premia collected by him.

The false statement was certainly intended to practice

20

deception on the credulous agents and policy holders. Besides M. K. Naik the Comptroller made his Agents to understand that the Directors had invested over Rs. 10000/- in the business while actually not a pie has been so invested. M. K. Naik being solely responsible for issuing the three Annual Reports of the Alliance under the name of the fictitious directors containing false statements therein, evidently intended to cheat the Agents and Policy holders to continue their relationship with the Alliance, he was charge-sheeted for the offences of Forgery and Cheating on three distinct counts punishable under sections 465 & 420 I.P.C. These are so far the cases that have been placed before the Court in a finished form. The final decision in the trials will be duly reported.

M. K. Naik's doings did not stop here. He is also responsible for running a lottery under the name of the National United Club styling himself as the Secretary thereof. This swindling he commenced in 1907 and is doing on year after year up to the present day. This has also been duly investigated and a special report submitted with a view that sanction of Government as required by section 196 C.P.C. may be obtained for the prosecution of M. K. Naik under section 294 A I.P.C.

Bangalore.
12 July 1913.

Copy
Supdt. of Police

(Sd) C. Krishna Rao
Chief Inspector of Police,
Bangalore City.

Enc 4 P. 65-53-13-L

191

21

From

T. Thumboo Chetty Esq., B.A.,
Superintendent of Police,
Bangalore District.

To

K. Chandy, Esquire, B.A.,
District Magistrate,
Bangalore District.

Dated 17th July 1913.

Despatched

Received

General No. 8-9
No. S.B

Enclosure No. 2

Sir,

I have the honour to forward herewith copies of reports Nos 25 and 26 dated 12th July 1913 submitted by the Chief Inspector of Police, Bangalore City giving a brief history of a bogus association called the National United Club 1907-1913, and of the several cases of cheating in which one M. Krishna Deva Naik has figured himself prominently.

I have the honour to be,
Sir,
Your most obedient servant,

Superintendent of Police,
Bangalore District.

10-7-13
Send
D-S-P. Please send copies of Enc. 1 from D'Com. It is believed that complainants and accused will be present.

(Sd) Lee

Sub-D.S.

Copies were sent - D.S. Endorsements have been given to the complainants that they may file their complaints against the Secretary, National United Club, Bangalore. The accused have been warned to be present in the Police Station on the 18th inst.

GFB—50,000—26-9-12

Enc 6 to 655 55=13-1

22

No. 45/2.

R e p o r t .

With reference to the District Superintendent's memo No. 56 dated 17-7-1913 attached hereto, forwarding the complaint of one Mr. Charles Barboza of Calicut against M. Krishna Deva Naik of the National United Club, Basavapur, Bangalore City, I beg to state that action on the complaint can only be taken on sanction of Government being obtained with respect to the drawing of the Lottery proposed to be held in Basavapur, Bangalore City. In this connection I beg to invite kind reference to my report No. 25 dated 14-7-1913. The sanction prayed for therein may kindly be obtained at an early date.

Sd/- C Krishna Rao,
Chief Inspector of Police,
Bangalore City.

25-7-1913.

"C o p y"

Superintendent of Police,
Bangalore District.

P.R.-574-6/13/14

URGENT.

23

191 Case 544-53

From

T. Thumboo Chetty, Esq., B.A.,
Superintendent of Police,
Bangalore District.

To

K. Chandy, Esquire, B.A.,
District Magistrate,
Bangalore.

Dated

Despatched 28th July 1913.
29

Received

General No. 19

No. S.B

Enclosure No. 1

OFFICE OF THE DEPUTY COMMISSIONER, No..... Dated 30-7-13 BANGALORE DISTRICT.

Sir,

I have the honour to invite reference to my letter No. 8-9/S.B. dated 17th instant with which a copy of the City Chief Inspector's report No. 25 - dated 12th instant has been forwarded to you giving a brief history of a -- bogus Association called the National United Club 1907-1913 wherein it is stated that one M. Krishna Deva Naik is said to have had opened a lottery house in Basavapur, Bangalore, during the past few years, and to request you to be so good as to address the Government with a view to sanction being -- obtained to prosecute M. Krishna Deva Naik under section 294-A. I.P.C. as he has rendered himself liable.

Copy of further report No. 45/2 dated 25th instant from the Chief Ins-

GPB—50,000—26-9-12

24

Inspector of Police relating to the above subject is enclosed for information.

I have the honour to be,

Sir,

Your most obedient servant,

Superintendent of Police,

Bangalore District.

Calling for records in Krishnadeva Raik's case 25

G. R. S. 26]

1918
450

ct File No. 55 of 1913-14
Serial No. 1(a)

Diary No. of letter replied to

No. J 558

General and Revenue Secretariat
( )
, *the* 191 .

To
The District Magistrate,
Bangalore Dist.

Date of issue 13/8/13

Signed by

Sir,

Adverting to your letter no. 116, dt. the 4th August 1913, requesting Sanction of Govt. for prosecuting M. Krishnadeva Raik for having unauthorizedly kept a Letter-office in the Basavanguḍi Extension, Bangalore City, I am directed to request you to send the entire records including/containing the application presented to the District Magistrate of Bangalore on the case

P.T.O. over.

SUBJECT.

26

By the said Krishnadevaraik for permission to carry on the business in ~~the sale of~~ sweet scented dentifrice by the sale of tickets and the order passed thereon by Mr H.H. Sparkes stating that there was no objection to the issue of such tickets.

I have the

[signature]

for Secy to Govt

List of enclosures.

Copied by

Examined by [signature]

GPB—25,000—8-8-11.

III

191

27

From The District Magistrate,
Tumkur

To The Secretary to the Govt. of Mysore,
Gen. & Rev. Departments,
Bangalore

Dated

Despatched 26th August 1913

Received 26

General No. S. 202

No.

Enclosure No. One & 1 File
sent separately.

Forwarding for perusal and very early return copy of letter No. 512 D/22-8-13 from Superintendent of Police and the file of available papers received therewith re the lottery office kept by M Krishnadeva Naik and stating that the original order of Mr. Sparkes is not forthcoming.

GPB—50,000—26-9-12

28

DEPUTY COMMISSIONER'S OFFICE,
BANGALORE DISTRICT.
DATED, BANGALORE 25 Aug 1913.

26
J 714

1913-14
C5
55-7/1913-14
2 NO

From,

K. Chandy, Esq., B.A.,

District Magistrate,
Bangalore District.

To,

K.R. Srinivasa Iyengar, Esq., M.A.,

Secretary to the Govt. of Mysore,

General & Revenue Department,

—

Sir,

With reference to your letter No. J. 558 Cto. 55-13-2 dated 13th August 1913, calling for the entire records relating to the keeping of a Lottery - House unauthorizedly by M. Krishna Deva Naik of Basavanjodi Extension, Bangalore City, I have the honor to forward herewith for perusal and very early return, Copy of letter No. 572 dated the 22nd instant from the Superintendent of Police, Bangalore District and the file of available papers received therewith and to state that the original

Original order of Mr. H. H. Sparkes is not forthcoming.

I have the honor to be
Sir,
Your most obedient Servant.

K. Chandy

District Magistrate,
Bangalore District.

Copy of letter No. 572/Mis. (Enc. 1 file), dated the 22nd instant from the Superintendent of Police, Bangalore District, to the District Magistrate, Bangalore District.

Adverting to your memo. No. R. 992, dated the 21st instant, forwarding copy of General & Revenue Secretary's letter no. J. 558/C to S 5-13-2, dated 13th August 1913, re certain records connected with the lottery office kept by M. Krishna Deva Naik, I have the honor to forward herewith, the records as per thereto noted in the margin, submitted by the Chief Inspector of Police, Bangalore City.

(Signed) S. Thumboo Chetty.
Superintendent of Police,
Bangalore District

"Copy"
K. Mandy
District Magistrate,
Bangalore District.

	1908.	1909	1910	1911	1912	1913.
2	-	-	-	-	-	-
3	-	-	-	-	-	-
4	-	-	-	-	-	-
5	-	-	-	-	-	-
6	-	-	-	-	-	-
7	-	-	-	-	-	-

Sanctg the prosecution of Sri Krishnadevaraja

G.R.S. 28.]

ab

65 File No. 55 of 1913

Serial No. 4

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 19

Date of issue 10.9.13

Signed by Mr S.S. Nanjundayya

Chief

READ--

Letter No 116, dy 4th August 1913 from the District Magistrate, Bangalore forwarding copies of certain papers relating to the unauthorized opening of a lottery-office in the Basavanpuri Extension, Bangalore City, under the bogus name of "National United Club" by one M. Krishnadeva Raik and requesting Sanction of Govt for prosecuting him & one offence under Sec 294 A, I.P.C.

P.T. over

SUBJECT.

GPB—10,000—19-4-10

GAR/9/13

32

Order thereon :

868

Under the provisions of Sec 196 of the Code of Criminal Procedure, 1904, Sanction is accorded to the prosecution of Mr Krishnadeva Naik for having unauthorizedly kept a lottery-office in the Basavanpura Extn, Bangalore City, an offence punishable under Sec 294 A, I.P.C.

2) Action should be taken to prosecute the man for cheating if he has not already been prosecuted under that head.

Sd/-
for Secy to Govt

Dtd 28/8

To the District Magte., Bangalore Dist,

Rep.-129 returning the records received with his letter No. 202 of the 25th Aug 13.

Exd. XX.

33

From 191

Deputy Commissioner,
Bangalore District.

To

The Secretary to Government,
General & Revenue Depts,
Bangalore.

Dated
Despatched } 2nd Oct. 1913
Received

General No. S. 367.
No.

Enclosure No. One copy of D.S.P's
No. 881 with Enclosure

Re. The prosecution of Krishna-
devanaick. Requests to be
prosecuted on two counts.

GPB—50,000—26-9-12

DIARY No. J.1142

1912-1914
SECTION Courts
FORM No. 55 M9(3-4)
SERIAL No. K. Chandy

Office of the Deputy Commissioner,
Bangalore District,
dated Bangalore, 2nd October 1913.

From

K. Chandy Esquire, B. A.,
District Magistrate, Bangalore District,
Bangalore.

To,

K. R. Sreenivasa Iyengar Esquire, M. A.,
Secretary to the Government of H. H.
the Maharaja of Mysore, Gen & Rev Deptts.

Sir,

In continuation of my letter No. S. 116 dated 4th August 1913 and with reference to Government Proceedings No. J.368/ Cts 55-13-2 dated 10th September 1913, I have the honor to forward herewith for the information of Government, copy of ~~Government~~ letter No. 681 dated 27th September 1913 from the Superintendent of Police, Bangalore District together with its enclosures and to state that Krishnadeva Naik has to be prosecuted on two counts viz. "unauthorizedly keeping a lottery house in Basavangudi in the years 1907, 1909, 1911, 1912 and 1913" and "publishing proposals relating to those five lotteries outside Mysore". Government may kindly be moved to specifically sanction his prosecution on both the counts. I beg to state that since in the Government Proceedings above referred to, sanction is accorded for prosecuting him on the first count, the City Magistrate declines to take cognizance of the offence for want of Government sanction in respect of the second count.

I have the honor to be,
Sir,
your most obedient servant.

K. Chandy

Deputy Commissioner
and District Magistrate.

35

Sp Letter No. 881/mis dated 26th/27th September 1913 from the Superintendent of Police, Bangalore District, to the District Magistrate, Bangalore District.

Adverting to your memo No. R. 2178 dated 11/12th Sept. 1913, conveying Government Order No. J. 868/cis 55-13-2 dated 10th September 1913, according sanction to prosecute M. Krishnadeva Naik for having unauthorizedly kept a lottery office in the Basavanagudi Extension, Bangalore City, I have the honor to forward herewith for perusal, copy of City Chief Inspector's Report No. 221 dated 24th Instant, pointing out the objection raised by the City Magistrate, Bangalore, to proceed with the complaints filed by the Chief Inspector, on the ground that Government order did not refer to publishing proposals relating to lottery, and to request you to be so good as to address the Government once again, in the matter of modifying their order quoted above, in the light of the facts embodied in the Chief Inspector's report.

A copy of the Government order referred to is herewith forwarded for reference.

" C o p y "

K Meandy

District Magistrate, Bangalore Dist.

DL

No. 221. 36

Office of the Chief Inspector , City Police,

Bangalore, dated the 24th Sept. 13.

R E P O R T .

I beg to report that under the authority of Government Proceedings No. J. 868/Cts 55-13-2 dated 10-9-1913, I filed five complaints today with respect to the Lotteries held or published to be held by M. Krishnadeva Naik in the years 1907, 1909, 1911, 1912 and 1913. A copy of the complaint petitions referred to are here in enclosed for kind perusal. The City Magistrate refused to take cognizance of the offence on the score that Government had not accorded sanction for the prosecution of M.K. Naik on the 2nd Count urged in each of the Complaint petitions Viz. "Publishing Proposals relating to such Lottery". In this connection I beg leave to state that although the publication was outside Mysore the offence of publishing such proposals can be tried in Mysore under para 1 of Section 188 C.P.C. I also beg to state, that the offence of publication may be more easily and conclusively proved than the offence of keeping a Lottery House, which, I have reason to think M.K. Naik would seriously contest. Under these circumstances, I beg that the District Magistrate may be moved to approa approzch Government to modify the sanction already granted in No. J. 868/Cts 55-13-2 dated 10th September 1913 so as to specify the two counts of unauthorized keeping a Lottery House in Basavan gudi in the years 1907, 1909, 1911, 1912 and 1913 as referred to in the concluding para of my report No. 25 dated 14th July 1913 and for publishing proposals relating to these five Lotteries, offences punishable under section 294 A. of the Indian Penal Code.

Sd/- C. Krishna Rao,

24th September 1913. Chief Inspector , Bangalore City.

* C O P Y *

Superintendent of Police,

Bangalore District.

37

In the Court of the City Magistrate, Bangalore.

Criminal Case No. of 1913-14.

Government	Vs.	Accused.
C. Krishna Rao, Chief Inspector		H. Krishnadeva Naik.

The undersigned begs to state as follows:-

(1). That in December 1912 or thereabout the accused as the Honorary Secretary, National United Club, Basavanpur, Bangalore City, kept an office or place i.e. House No. 25, Fort Main Road, Basavangudi for the purpose of drawing a letter not authorised by Government.

(2) That he in December 1912or thereabout published in among other places proposals relating to such lottery.

(3) That the accused has, by the above said act made himself liable for an offence punishable under section 294 A. of the Indian Penal Code.

(4) That under section 196 C.P.C. sanction of Government has been obtained for the prosecution of the accused under the above section.

(5) That the accused may be tried for the said offence committed by him.

(6) That he drew the lottery about the said period and remitted Rs. 20/- in January 1913 to twelve prize winners.

( ) That the following witness may be summoned and examined on behalf of the Prosecution

Witnesses.

1. C. Krishna Rao, Chief Inspector, Bangalore.
2. Parasurama Prasad, Post-man, Bangalore City.
3. H. Subba Rao, Police Inspector, Bangalore City.
4. Krishnaswami Moodr., Manager, Messrs. Thumbi & Co.
5. M.K. Munshi, 311, Jakkaria Musjid, Bombay.
6. S. Pithu Iyer, Madura.

Note:- Summons to witnesses Nos. 5 and 6 may be deferred pending further application.

24th September 1913.
Bangalore City.

Sd/. C. Krishna Rao,
Chief Inspector, Bangalore

"COPY"

Supdt of Police.

In the Court of the City Magistrate, Bangalore.

Criminal Case No. of 1913-14.

Government Vs. Accused.

C. Krishna Rao, Chief Inspector K. Krishnadeva Naik.

The undersigned begs to state as follows:-

(1) That in June 1913 or thereabout the accused as the Honorary Secretary, National United Club, Basavapur, Bangalore, City, kept an office or place i.e. House No. 25, Fort Main Road, Basavangudi for the purpose of drawing a lotter not authorised by Government.

(2) That he in June 1913 or thereabout published in among other places proposals relating to such lottery.

(3) That the accused has, by the above said act made himself liable for an offence punishable under section 294 A. of the Indian Penal Code.

(4) That under section 196 C.P.C. sanction of Government has been obtained for the prosecution of the accused under the above section.

(5) That the accused may be tried for the said offence committed by him.

(6)

( ) That the following witness may be summoned and examined on behalf of the prosecution

Witnesses.

1. C. Krishna Rao, Chief Inspector, Bangalore.
2. Parasurama Prasad, Post-man, Bangalore City
3. Krishnaswami Moodr., Manager, Messrs. Thumbi & Co., to appear with the order book of 1913.
4. H. Subba Rao, Police Inspector, Bangalore City.
5. Chas. Barboza, Calicut.
6. N.K. Munshi, 311, Jakkaria Musjid, Bombay.
7. Chitambaram, Belgaum.
8. R.E. Ananta Krishna Iyer, 17, East Gate Madura.

Note:- Summons to witnesses 5 to 8 may be deferred pending further application.

24th September 1913.
Bangalore City.

Sd/. C. Krishna Rao,
Chief Inspector, Bangalore

"COPY"
Supdt of Police

In the Court of the City Magistrate, Bangalore.

Criminal Case No. of 1913-14.

Government. Vs. Accused.

C. Krishna Rao, Chief Inspector. K. Krishnadeva Naik.

The undersigned begs to state as follows:-

1, That in June 1911 or thereabout the accused as the Honorary Secretary, National United Club, Basavapur, Bangalore City, kept an office or place i.e. House No. 25 Fort Main Road, Basavangudi for the purpose of drawing a lotter not authorised by Government.

2, That in June 1911 or thereabout published in some other places proposals relating to such lottery.

3, That the accused has, by the above said act made himself liable for the offence punishable under section 294 A. of the Indian Penal Code.

4, That under section 196 Cr.P.C. sanction of Government has been obtained for the prosecution of the accused under the above section.

5, That the accused may be tried for the said offence committed by him.

6,

That the following witness may be summoned and examined on behalf of the prosecution:-

Witnesses.

1. C. Krishna Rao, Chief Inspector, Bangalore.
2. Muniswami, Post-man, City Post Office, Bangalore.
3. Parasuram Prasad, Post-man City Post-Office.
4. S.K. Thata Chariar, Plague Inspector, Vaniambady.
5. Krishnaswami Moodlr., Manager, Messrs. Thumbi & Co., Civil & Military Station, Bangalore.

4th September 1913.
Bangalore City.

Sd/. C. Krishna Rao,
Chief Inspector, Bangalore.

In the Court of the City Magistrate, Bangalore.

Criminal Case No. of 1913-14.

Government

Vs.

C. Krishna Rao, Chief Inspector — Accused.

M. Krishnadeva Naik.

The undersigned begs to state as follows:-

(1) That in October 1907 or thereabout the accused as the Honorary Secretary, National United Club, Basavapur, Bangalore, City, kept an office or place i.e. House No.37 IV Cross Road, Basvangudi for the purpose of drawing a lotter not authorised by Government.

(2) That he in February 1907 or thereabout published in Calicut among other places proposals relating to such lottery.

(3) That the accused has, by the above said act made himself liable for an offence punishable under section 294 A. of the Indian Penal Code.

(4) That under section 196 C.P.C. sanction of Government has been obtained for the prosecution of the accused under the above section.

(5) That the accused may be tried for the said offence committed by him.

(6) That the following witness may be summoned and examined on behalf of the Prosecution

Witnesses.

1. C. Krishna Rao, Chief Inspector, Bangalore.
2. P. Chandu Kutty, Malaparamba, Calicut.
3. H. Madhava Rao, Police Inspector, Bangalore
4. Krishnayya Setty, Late Proprietor, Young & Co., C. &.M Station, Bangalore
5. Muniswami, Post-man, City Post Office, Bangalore.

24th September 1913.
Bangalore City.

Sd/. C. Krishna Rao,
Chief Inspector, Bangalore

"C O P Y

Report of Pol

In the Court of the City Magistrate, Bangalore.

Criminal Case No. of 1913-14.

47

Government Vs. Accused.

Krishna Rao, Chief Inspector M. Krishnadeva Naik.

The undersigned begs to state as follows:-

(1) That he in December or thereabout the accused as the Secretary, National United Club, Basavangudi, Bangalore City, kept August 1909 Road, Basavangudi for the place i.e. House No. 25, 37 IV Main of drawing a lotter not authorised by Government.

(2) That he in August 1909 or thereabout published in Madras & other places proposals relating to such lottery.

(3) That the accused has, by the above said act made himself liable for an offence punishable under section 294 A. of the Indian Penal Code.

(4) That under section 196 Cr.P.C. sanction of Government has been obtained for the prosecution of the accused under the above section.

(5) That the accused may be tried for the said offence committed by him.

(6) That in so publishing cheated the public by misrepresenting that the drawing of the lottery was by permission of the Government of H.H. the Maharaja of Mysore while actually it was not.

(7) That the following witness may be summoned and examined on behalf of the Prosecution

Witnesses.

1. C. Krishna Rao, Chief Inspector, Bangalore.
2. Muniswami, Post-man, City Post Office, Bangalore.
3. H. Madhava Rao, Police Inspector, Bangalore.
4. M. Rajaratna Moodr., 36, North Mada Street, Mylapur, Madras.
5. V. Govinda Naidu, Police Inspector, Shikaripur Taluk.

24th September 1913.
Bangalore City.

Sd/. C. Krishna Rao,
Chief Inspector, Bangalore

"COPY"
Supdt of Police.

42

Proceedings of the Government of H.H. the Maharaja of Mysore.

Read:- Letter No. 116dated the 4th August 1913 from the District Magistrate, Bangalore District, forwarding copies of certain references relating to the unauthorised opening of a lottery Office in the Basavan gudi extension, Bangalore City, under the bogus name of "National Unit -ed Club" by one Krishnadeva Naik and requesting sanction of Government for prosecuting him for an offence under section 294 (A) Indian Penal Code.

Order thereon:- No. J.868/Cts 55-13-2 dated 10th September 1913.

Under the provisions of section 196 of the Code of Criminal Procedure 1904, sanction is accorded to the prosecution of M. Krishnadeva Naik for having unauthorisedly kept a lottery Office in the Basvangudi Extension, Bangalore City, an offence punishable under section 294 (A) Indian Penal Code.

Action should be taken to prosecute the man for <u>cheating</u> if he has not already been prosecuted under that head.

Sd/- S.P. Rajagopalachari,
For Secy. to Government.

To

The District Magistrate, Bangalore, returning the records ~~with~~ received with his letter No. 202 dated 25th August 1913.

"Copy"
Supt. of Police

27-9-41

arkiv,

Ilie Stareo primi referat
[illegible] Krishnadevaraiks
konsert d. 4 oktober 1941.
Prima vera [illegible]

43

G. R. S. 26]

File No. 55 [illegible]

Serial No. 4.

31/10
1142

Diary No. of letter replied to

PR No. 3356 3-11-13
Cover + 6.

General and Revenue Secretariat
( )
, *the* 191 .

To

The H. A. Resident

Date of issue 3 . 11 . 13 .

Signed by H. R. Srinivasaraghava

Sir,

I am directed to forward herewith a copy of letter no. 116 By the 4th Aug 1913 from the Dist. Supt., Bangalore Dist., along with its enclosures, in original, (to be obliged returned when no longer required) stating that one M. Krishnadeva Naik, ~~published outside Mysore~~ a subject of H. H. the Maharaja of Mysore, published outside Mysore State

P.T.O. over.

SUBJECT.

× 4

proposals relating to the opening of a lottery house in Basavangudi Extension, Bangalore City, during the years 1907, 1909, 1911, 1912 & 1913 and thereby committed an offence, punishable under Sec" 294, I.P.C., and to enquire whether in the circumstances the British Govt will waive their right to demand the surrender of the said accused for trial in British India for the aforesaid offence.

I have &c

Sd/

For Secy to Govt 29/10/13

List of enclosures.

Hy.-116
29/10/13 WL

Copied by

Examined by

GPB—25,000—8-8-11.

Pol No 7943 11.11.1913. 45

No. 7032
Enc file Dft papers.

FROM

P. B. WARBURTON, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

13 14
C5
55 9/1913-14
5

Dated Bangalore, 11th November 1913

SIR,

With reference to Mr. Srinivasiengar's letter No. 335 Pol. dated the 3rd November 1913, I am directed to state that there is no objection to the trial of M. Krishnadeva Naik in the Mysore State for an offence under Section 294-A. Indian Penal Code.

2. The original enclosures are returned herewith.

I have the honour to be,
Sir,
Your most obedient servant,

For First Assistant Resident.

CAS.

R. O. 2.—R. P. B.—3-1913.—1,500.

Sanctioning the prosecution of M. Krishna Deva Naik

1 46

G.R.S. 28]

Crls File No. 55 of 13
Serial No. 6 — 74

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

, *the* 191 .

Sl No 2
Flags

Date of issue 22/4/13

Signed by SP Rajagopal
Chief

READ—

G.O. No 868 / Crls. 55-13-2 dy 10.9.13 Sanctioning under the provisions of Sec. 196 of the code of criminal Procedure 1904 the prosecution of M. Krishna Deva Naik for having unlawfully kept a lottery house office in the Basavanagudi extn. Bangalore City an offence punishable under Sec. 294 A I.P.C.

I Paper mentioned in proceedings

2. Letter No S. 367 dy 2nd October 1913 from the District- over.

SUBJECT.

Compd DS
21/11

47

Magistrate Bangalore District

Forwarding for information of Govt. copy of letter No 881 of 27th Septr 1913 from the Supdt of Police Bangalore dist. and requesting sanction of Govt. to prosecuting M. Krishna deva Naik on the two specific counts mentioned therein as constituting an offence under Sec. 294 A of the I.P.C. in modification of the Govt Order read above which related to one count alone.

Order thereon. No. D 8641

In modification of the Govt. Order read above sanction is accorded to the prosecution of M. Krishna deva Naik for having unauthorizedly kept a lottery office in the Basavanapuri Extn Bangalore City in the years 1907, 1909, 1911, 1912 and 1913 and publishing proposals relating to those five lotteries outside Mysore, offences punishable under Sec. 294 A. I.P.C. under the provisions of Sec. 494 of the Code of Criminal Procedure 1898.

15/11/13

to the District Magistrate Bangalore District

P.B.—20,000—2-10-11

Forwarded to Govt.

21/11/13

NRC
-10-13.